

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION

2007 JUL 27 PM 1:19  
CLERK *ms. Smith*  
SO. DIST. OF GA.

ROBIN L. THORNTON,

Plaintiff,

v.

JO ANNE B. BARNHART,  
Commissioner of Social Security,

Defendant.

CIVIL ACTION NO.: CV506-042

ORDER

After an independent review of the record, the Court concurs with Magistrate Judge's recommendation that the decision of the Commissioner be **AFFIRMED**. Plaintiff has filed Objections to the Report and Recommendation, wherein she contends that substantial evidence does not support the Administrative Law Judge's determination. Specifically, Plaintiff asserts that the ALJ erred in finding her mental impairment to be non-severe, and in doing so, improperly discounted the opinions of her treating physicians.

As the Magistrate Judge determined, the ALJ properly considered the opinions of Plaintiff's physicians, and specifically considered Plaintiff's recent low Global Assessment of Functioning score. The ALJ found, however, that the record did not support a finding that Plaintiff functioned at this level for the twelve-month durational requirement. The ALJ also discounted the alleged severity of Plaintiff's mental

impairment by reference to her behavior and activities of daily living, including non-compliance with her treatment schedule and her sustained work at a convenience store.

Plaintiff's Objections are without merit. The ALJ's determinations that Plaintiff's mental impairment is non-severe and that she is not disabled are supported by substantial evidence. The Report and Recommendation of the Magistrate Judge is adopted as the opinion of this Court, and the decision of the Commissioner is hereby **AFFIRMED.**

SO ORDERED, this 27<sup>th</sup> day of July, 2007.



WILLIAM T. MOORE, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA